

CITY OF TIGARD, OREGON

RESOLUTION NO. 01-56

A RESOLUTION APPROVING BUDGET AMENDMENT #5 TO THE FY 2001-02 BUDGET TO TRANSFER FUNDS TO PAY AN ASSESSMENT BY THE LEAGUE OF OREGON CITIES FOR LEGAL COSTS ASSOCIATED WITH QWEST FRANCHISE FEES

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WHEREAS, Qwest Communications Corp. has filed suit against the City of Portland challenging Oregon cities' legal authority to levy and collect telecommunications franchise fees, and

WHEREAS, Qwest has sent letters to 30 Oregon cities, including the City of Tigard, informing them that Qwest will no longer pay franchise fees due under existing franchise agreements pending resolution of Qwest vs. the City of Portland, and

WHEREAS, the City of Tigard has budgeted to receive \$420,240 in telecommunications franchise fees in FY 2001-02, which could be at risk if Qwest is successful in its suit, and

WHEREAS, the League of Oregon Cities (LOC) is coordinating the legal response for all Oregon cities, and

WHEREAS, LOC is requesting a voluntary payment from each city equal to 3% of its FY 2001-02 budgeted telecommunications franchise revenues to pay for legal costs associated with this suit, and

WHEREAS, it is appropriate that the City of Tigard contribute to legal costs to help defend cities' right to manage its public rights-of-way, and

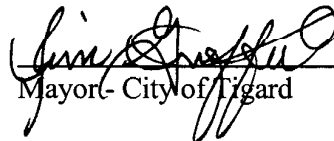
WHEREAS, it is necessary to amend the FY 2001-02 Adopted Budget to transfer funds from the General Fund contingency to allow the City to contribute its fair share to the LOC legal effort.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:


SECTION 1: The FY 2001-02 Adopted Budget of the City of Tigard is hereby amended as shown in Attachment A to this resolution.

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This 9<sup>th</sup> day of October 2001.

  
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Mayor- City of Tigard

ATTEST:

  
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City Recorder - City of Tigard

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Attachment A  
FY 2001-02  
Budget Amendment # 5

FY 2001-02 Budget	Budget Amendment # 5	FY 2001-02 Revised Budget
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**General Fund**

Resources			
Total	<b>\$22,922,016</b>	<b>\$0</b>	<b>\$22,922,016</b>
Requirements			
Community Service Program	9,065,313		9,065,313
Public Works Program	2,374,907		2,374,907
Development Services Program	2,532,431		2,532,431
Policy & Administration Program	385,738	12,607	398,345
General Government	0		0
Program Expenditures Total	<b>\$14,358,389</b>	<b>\$12,607</b>	<b>\$14,370,996</b>
Debt Service	\$0		\$0
Capital Improvements	\$410,000		\$410,000
Transfers to Other Funds	\$3,661,011		\$3,661,011
Contingency	\$1,000,000	(\$12,607)	\$987,393
Total Requirements	<b>\$19,429,400</b>	<b>\$0</b>	<b>\$19,429,400</b>
Ending Fund Balance	<b>3,492,616</b>		3,492,616
Grand Total	<b>\$22,922,016</b>	<b>\$0</b>	<b>\$22,922,016</b>